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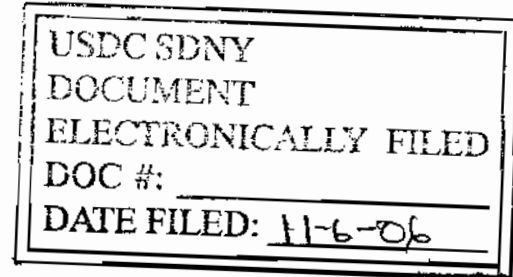
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MEMO ENDORSED

November 2, 2006

VIA FACSIMILE

The Honorable Richard Conway Casey
United States District Court Judge
United States Courthouse
500 Pearl Street
New York, NY 10007



Re: Merit Capital Group, LLC v. Trio Industries Management, LLC, et al.
Case No. 04 CIV 7690 (RCC)

Dear Judge Casey:

Our firm represents plaintiff Merit Capital Group, LLC and third-party defendants Harvey Bloch and Alfred Salazar. Last night we faxed a letter to the Court requesting a conference call in order to address the Trio Defendants' recent acknowledgment that they are on the eve of closing an admittedly significant, yet unspecified, corporate transaction. As set forth in detail in our prior letter to the Court, defendants' counsel has refused to provide any specifics about this transaction and it is conceivable, if not likely, that this transaction would dissipate corporate assets and irreparably harm the plaintiff, who holds a significant ownership interest in Trio. Counsel has stated that this transaction is scheduled to close tomorrow.

We are in receipt of your endorsement to our letter in which you order that any concerns about Judge Ellis's adjournment of the Settlement Conference be taken up with Judge Ellis. Respectfully, our request had nothing to do with the Trio Defendants' request for an adjournment of the Settlement Conference before Judge Ellis; it was only mentioned to explain to the Court how and when we first learned of the Trio Defendants' impending "major corporate transaction."

We respectfully renew our request for a conference call later this afternoon with the Court. The Court's attention and consideration of this matter is greatly appreciated.

Application denied.
So ordered.

A handwritten signature in black ink, appearing to read "Robert Wolf".

Nov. 3,
2006

Respectfully submitted,

Robert Wolf